

EXHIBIT B

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION

MITCHELL PRUST,

Plaintiff,

v.

APPLE INC.

Defendant.

Civil Action No. 2:09-cv-00092

JURY TRIAL DEMANDED

**DECLARATION OF MITCHELL PRUST IN SUPPORT OF
HIS OPPOSITION TO APPLE'S MOTION FOR TRANSFER OF VENUE**

I, Mitchell Prust, declare as follows:

1. I make this declaration on the basis of my own personal knowledge. If called to testify as to the truth of the matters stated herein, I could and would do so competently.

2. I was employed by WAM!NET (which was acquired by Savvis Inc. in August of 2003) during the period from 1996 to 2008. During that period, I filed three patent applications that resulted in the patents-in-suit: the '968, '623, and '724 patents.

3. While I was employed at WAM!NET, Apple engaged in discussions with WAM!NET regarding the incorporation of technology described in my three patents into Apple products, under a non-disclosure agreement.

4. These discussions occurred mainly in Minnesota but also in some other locations. The people involved in the discussions and involved in the relationship between WAM!NET and Apple are now located around the country.

5. During these discussions, I had several communications with Apple employees and representatives.

6. I believe that based on the disclosures of the technologies described in my three patents, Apple developed several products, but never obtained a license to those technologies.

7. Savvis Inc. is located at 1 Savvis Parkway, Town & Country, Missouri 63017. Savvis acquired WAM!NET in August of 2003 and inherited all of WAM!NET's documents, including those related to or referring to the interactions between myself, Apple, and WAM!NET relevant to this case.

8. Mr. Rick Hammond is located in Minneapolis, Minnesota. He was a regional Senior Business Development Manager for Apple during the interactions between Apple and WAM!NET. He knew that I was working with Apple on the SiLO product and may have relevant knowledge regarding Apple's infringement of the patents-in-suit, of the SiLO product and of the relationship between WAM!NET and Apple.

9. Mr. Steve Borsch is located in Eden Prairie, Minnesota. He was a regional Apple executive, and he was primarily in charge of the relationship between WAM!NET and Apple. Mr. Borsch may have relevant knowledge regarding Apple's infringement of the patents-in-suit, of the SiLO product and of the relationship between WAM!NET and Apple.

10. Mr. Tony Barrett is located in Chicago, Illinois. He was an Enterprise Division Manager for Apple; he and I had direct interactions from 1999-2000. Mr. Barrett has knowledge of the relationship between WAM!NET and Apple and the SiLO product.

11. Mr. Don Oehlert is located in Chicago, Illinois. He was an Account Executive for Apple, and he has knowledge of the relationship between WAM!NET and Apple and the SiLO product.

12. Mr. Curtis Juliber is located in Minneapolis, Minnesota. He was a Channel Manager for Apple and he has knowledge of the relationship between WAM!NET and Apple and the SiLO product.

13. Mr. Richard Schlein is located in Los Angeles, California. He was a Director of Worldwide Developer Relations for Apple, and he has knowledge of the relationship between WAM!NET and Apple and the SiLO product.

14. Mr. Sal Soghoian is located in Cupertino, California. He is the AppleScript Product Manager at Apple, and he has knowledge of the relationship between WAM!NET and Apple and the SiLO product.

15. Mr. Allen Witters is located in Santa Fe, New Mexico. He was the Chief Technology Officer for WAM!NET and has knowledge of the relationship between WAM!NET and Apple and the SiLO product. He was also present at several of the meetings between WAM!NET and Apple.

16. Ms. Denise Kristoffersen is located in Allenspark, Colorado. She was a WAM!NET executive who was highly involved in all aspects of SiLO—I reported to her at WAM!NET. Ms. Kristoffersen may have relevant knowledge regarding the SiLO product and of the relationship between WAM!NET and Apple.

17. Mr. John Taylor is located in the United Kingdom. He was a product manager for WAM!NET. He was present at WAM!NET's meetings with Scott Ryder of Apple. Mr. Taylor may have relevant knowledge regarding Apple's infringement of the patents-in-suit, of the SiLO product and of the relationship between WAM!NET and Apple.

18. Mr. Tim Elliott is located in Lakeville, Minnesota. He was an Executive Director of Global Marketing for WAM!NET. I reported to him while the negotiations with Apple were

ongoing. He is very familiar with the negotiations between WAM!NET and Apple. Mr. Elliott may have relevant knowledge regarding Apple's infringement of the patents-in-suit, of the SiLO product and of the relationship between WAM!NET and Apple.

19. Mr. John Kauffman resides in both Minnesota and Missoula, Montana. He was the Chief Marketing Officer for WAM!NET and may have relevant knowledge of the WAM!NET/Apple relationship.

20. Mr. Ryan Douglas is located in Minneapolis, Minnesota. He was a developer with WAM!NET and helped to develop the early SiLO prototypes to show to Apple. He may have relevant knowledge regarding Apple's infringement of the patents-in-suit, of the SiLO product and of the relationship between WAM!NET and Apple.

21. Mr. Gregory M. Stark is located in Minneapolis, Minnesota. He was a Product Manager for WAM!NET and directly worked on the SiLO product. He may have relevant knowledge regarding Apple's infringement of the patents-in-suit, of the SiLO product and of the relationship between WAM!NET and Apple

22. Mr. Mark Abbott is located in Minneapolis, Minnesota. He was a developer for WAM!NET and helped to develop the early SiLO prototypes to show to Apple. He may have relevant knowledge regarding Apple's infringement of the patents-in-suit, of the SiLO product and of the relationship between WAM!NET and Apple.

23. Mr. Raymond Kang is located in Minneapolis, Minnesota. He was a Vice President of Product Marketing and Development for WAM!NET and he was involved in various aspects of SiLO development. He may have relevant knowledge regarding the SiLO product and of the relationship between WAM!NET and Apple.

24. Ms. Shanna Salzman is located in Minneapolis, Minnesota. She was a legal administrator for WAM!NET and may have relevant information regarding the interactions between WAM!NET and Apple.

25. Mr. Bill Gensch is located in Minneapolis, Minnesota. He was a founder of ASI Communications, which handled most of WAM!NET's marketing. He may have relevant information regarding the interactions between WAM!NET and Apple.

26. Mr. John Emms is located in Minneapolis, Minnesota. He was a founder of ASI Communications, which handled most of WAM!NET's marketing. He may have relevant knowledge regarding the SiLO product and of the relationship between WAM!NET and Apple.

27. Mr. Edward Driscoll is located in Eden Prairie, Minnesota. He was the Chief Executive Officer of WAM!NET and had direct interactions with Steve Jobs of Apple. He may have relevant knowledge regarding the SiLO product and of the relationship between WAM!NET and Apple.

28. Ms. Lisa Gray is located in Minneapolis, Minnesota. She was the General Counsel of WAM!NET and has information regarding both the interactions between WAM!NET and Apple and the Non-Disclosure Agreement between WAM!NET and Apple.

29. Mr. Steve Shumaker is located in St. Paul, Minnesota. He was and still is an attorney with Shumaker & Sieffert, P.A and was an attorney of record during the prosecution of the patents-in-suit. He may have relevant information regarding the prosecution of the patents-in-suit. Mr. Shumaker has documents, including the prosecution file history, which may be relevant to claims or defenses in this case.

30. Mr. Kent Sieffert is located in St. Paul, Minnesota. He was and still is an attorney with Shumaker & Sieffert, P.A and was an attorney of record during the prosecution of the

patents-in-suit. He may have relevant information regarding the prosecution of the patents-in-suit. Mr. Sieffert has documents, including the prosecution file history, which may be relevant to claims or defenses in this case.

31. Mr. George Hadjiyanis is located in Minneapolis, Minnesota. He was a Product Manager for WAM!NET and may have relevant knowledge regarding the SiLO product and of the relationship between WAM!NET and Apple.

32. Mr. John Jebens is located in Lakeland, Florida. He was a Director of Solutions Engineering for WAM!NET and has information regarding the interactions between WAM!NET and Apple, as well as the SiLO product.

33. Mr. David Klippel is located in Atlanta, Georgia. He was a Industry Manager for WAM!NET and has information regarding the interactions between WAM!NET and Apple, as well as the SiLO product.

34. Mr. Patrick Schreifels is located in Minneapolis-St. Paul, Minnesota. He was a Sales Engineer for WAM!NET and has information regarding the interactions between WAM!NET and Apple, as well as the SiLO product.

35. Mr. Mark Myhre is located in Minneapolis-St. Paul, Minnesota. He was an Engineer for WAM!NET and has information regarding the interactions between WAM!NET and Apple, as well as the SiLO product.

36. Mr. Paul Prawdiuk is located in Minneapolis-St. Paul, Minnesota. He was an Engineer for WAM!NET and worked on the response to my product requirements for SiLO. He has information regarding the interactions between WAM!NET and Apple, as well as the SiLO product.

37. Mr. Ciaran Benson is located in Minneapolis-St. Paul, Minnesota. He was an Engineer for WAM!NET and worked on the response to my product requirements for SiLO. He has information regarding the interactions between WAM!NET and Apple, as well as the SiLO product.

38. Mr. Richard Peterson is located in Wisconsin. He was an Engineer for WAM!NET and worked on the response to my product requirements for SiLO. He has information regarding the interactions between WAM!NET and Apple, as well as the SiLO product.

39. Mr. John Keston is located in Minneapolis-St. Paul, Minnesota. He was an Engineer for WAM!NET and worked on the SiLO prototype for Apple. He has information regarding the interactions between WAM!NET and Apple, as well as the SiLO product.

40. Mr. Bill Radman is located in Minneapolis-St. Paul, Minnesota. He was a Product Manager for WAM!NET and was involved in all development efforts. He may have relevant knowledge regarding the SiLO product and of the relationship between WAM!NET and Apple.

41. Mr. Jim Stahl is located in Minneapolis-St. Paul, Minnesota. He was a Product Manager for WAM!NET and was involved in all commercialization efforts. He may have relevant knowledge regarding the SiLO product and of the relationship between WAM!NET and Apple.

42. Mr. Will Sullivan is located in Minneapolis-St. Paul, Minnesota. He was the former President of WAM!NET. He has information regarding the interactions between WAM!NET and Apple, as well as the SiLO product.

43. Mr. Paul Woolverton is located in St. Louis, Missouri. He was in Sales at WAM!NET and was involved in all Digital Asset Management solutions, including SiLO. He has information regarding the interactions between WAM!NET and Apple, as well as the SiLO product.

44. Mr. Michael Borman is located in Minneapolis-St. Paul, Minnesota. He did Product Marketing for WAM!NET and was involved in all commercialization efforts. He may have relevant knowledge regarding the SiLO product and of the relationship between WAM!NET and Apple.

45. Mr. Patrick Christie is located in Minneapolis-St. Paul, Minnesota. He was a Cybernet employee. He participated in the development of iSiLO prototypes for Apple. He may have relevant knowledge regarding the SiLO product and of the relationship between WAM!NET and Apple

46. Mr. Stan Opstad is located in Minneapolis-St. Paul, Minnesota. He was a Product Manager at WAM!NET and may have relevant knowledge regarding the relationship between WAM!NET and Apple.

47. Mr. Dave Lease is located in Minneapolis-St. Paul, Minnesota. He was an Engineering Manager at WAM!NET and has information regarding the interactions between WAM!NET and Apple.

48. Mr. Glenn Kreisel is located in Missoula, Montana. He was a Director of Internet Development at WAM!NET and may have relevant knowledge regarding the SiLO product and of the relationship between WAM!NET and Apple.

49. Mr. Steve Saroff is located in Missoula, Montana. He was a Director of New Market Development at WAM!NET and may have relevant knowledge regarding the SiLO product and of the relationship between WAM!NET and Apple.

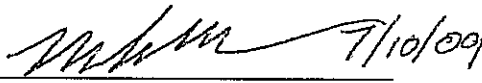
50. Mr. Tom VanSickle is located in Minneapolis-St. Paul, Minnesota. He was a Sales Director at WAM!NET and has information regarding SiLO and the relationship between WAM!NET and Apple.

51. Mr. Lee Carmichael is located in Minneapolis-St. Paul, Minnesota. He was an Engineer at WAM!NET and may have relevant knowledge regarding the SiLO product and of the relationship between WAM!NET and Apple.

52. As the inventor of the '968, '623, and '724 patents and custodian of relevant documents and other evidence, I am also likely to be an important witness in this case.

I declare under penalty of perjury under the laws of the United States that the foregoing statements are true and correct and to the best of my knowledge.

Executed on this 10th day of July, 2009.



Mitchell Prust

DECLARATION OF MITCHELL PRUST IN
SUPPORT OF RESPONSE TO DEFENDANT'S
MOTION FOR TRANSFER OF VENUE